

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-2415

JOAN E. MARSHALL,

Plaintiff - Appellant,

versus

JO ANNE B. BARNHARDT, Commissioner of Social
Security,

Defendant - Appellee.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Charles B. Day, Magistrate Judge. (CA-01-
2211-DKC)

Submitted: May 12, 2003

Decided: May 21, 2003

Before WILKINSON and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Stephen F. Shea, Silver Spring, Maryland, for Appellant. Thomas M.
DiBiagio, United States Attorney, John W. Sippel, Jr., Assistant
United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Joan E. Marshall seeks review of the magistrate judge's order* affirming the Commissioner's denial of social security benefits. We affirm. We review the Commissioner's final decision to determine whether it is supported by substantial evidence and whether the correct law was applied. Pass v. Chater, 65 F.3d 1200, 1203 (4th Cir. 1995). We have reviewed the record and conclude the Commissioner's decision is based upon substantial evidence. Accordingly, we affirm on the reasoning of the magistrate judge. See Marshall v. Barnhardt, No. CA-01-2211-DKC (D. Md. filed Sept. 27, 2002; entered Sept. 30, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

* The parties consented to review by a magistrate judge pursuant to 28 U.S.C. § 636(c)(2) (2000).